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10/791,549	03/01/2004	Marko Areh	ZTP01P15155	3288

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EXAMINER

MACARTHUR, VICTOR L

ART UNIT PAPER NUMBER

3679

DATE MAILED: 03/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/791,549

Applicant(s)

AREH ET AL.

Examiner

Victor MacArthur

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-13, 15 and 16 is/are rejected.
- 7) ☒ Claim(s) 7 and 14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Priority*

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Germany on 8/30/2001. It is noted, however, that applicant has not filed a certified copy of the DE10142508 application as required by 35 U.S.C. 119(b).

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 8-13, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishikawa (U.S. Patent 5,816,733) in view of Took (U.S. Patent 6,155,741).

Claim 1. Ishikawa discloses (figs.1 and 2B) a joining device for attaching a body, comprising: a first body (110) having a first wall (top wall of 110) with an inner side (inner side of top wall of 14) and extending substantially at a right angle to a second wall (11a) of a second body (11), the first body being inserted into the second body, said second body being a single unitary construction; a plurality of detent bosses (1a) connected to the inner side of the first wall, the plurality of detent bosses each being pressed by force into a respective one of detent openings (3) formed in the second body, and the plurality of detent bosses being encircled by the second body in a pressed-in state. Ishikawa does not disclose connection devices. Took teaches (col.4, ll.34-46) that it is beneficial for detent bosses (36) to be locked in place by connection devices

Art Unit: 3679

(20) each disposed in a first body (10, 22) for exerting the force on the detent bosses. One of ordinary skill would have easily recognized that the connection device supported bosses of Took are more secure than the non-supported bosses of Ishikawa. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the Ishikawa joining device to include connection devices, as taught by Took, for the purpose of locking the detent bosses in place and thereby increasing security.

Claim 2. Ishikawa discloses that the first body has a plurality of springs (1) connected to the first wall and the plurality of detent bosses are each disposed on a respective one of the plurality of springs.

Claim 3. Ishikawa discloses that the plurality of springs are disposed at an acute angle to the second wall (during insertion of 1a when 1 is deflected).

Claim 4. Ishikawa discloses that the plurality of springs are connected monobloc to said first wall.

Claim 5. Ishikawa discloses that the detent openings are a sack hole bore (in as much as the applicant's openings are) and the detent bosses are configured for engaging the sack hole bores.

Claim 6. Ishikawa as modified by Took above suggests that the connection devices (Took, 20) are bolts.

Claim 8. Ishikawa discloses (figs. 1 and 2B) a joining device for attaching to a first body (110), which is inserted into a second body (11), said second body being a single unitary construction, the first body having a first wall (top wall of 110) extending substantially at a right angle to a second wall (11a) of the second body, the joining device comprising: a plurality of

Art Unit: 3679

detent bosses (1a) connected to an inner side of the first wall and the plurality of detent bosses each being pressed by force into a respective one of detent openings (3) formed in the second body, the plurality of detent bosses being encircled by the second body in a pressed-in state.

Ishikawa does not disclose connection devices. Took teaches (col.4, ll.34-46) that it is beneficial for detent bosses (36) to be locked in place by connection devices (20) each disposed in a first body (10, 22) for exerting the force on the detent bosses, each of the plurality of connection devices maintaining the corresponding detent boss in the pressed-in-state in the corresponding opening to engage the first body to the second body. One of ordinary skill would have easily recognized that the connection device supported bosses of Took are more secure than the non-supported bosses of Ishikawa. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the Ishikawa joining device to include connection devices, as taught by Took, for the purpose of locking the detent bosses in place and thereby increasing security.

Claim 9. Ishikawa discloses a plurality of springs (1) connected to the first wall and the plurality of detent bosses each being disposed on a respective one of the plurality of springs.

Claim 10. Ishikawa discloses that the plurality of springs are disposed at an acute angle to the second wall (during insertion of 1a when 1 is deflected).

Claim 11. Ishikawa discloses that the plurality of springs are connected monobloc to said first wall.

Claim 12. Ishikawa discloses that the detent openings are sack hole bores and the detent bosses are configured for engaging the sack hole bores (in as much as the applicant's invention is).

Art Unit: 3679

Claim 13. Ishikawa as modified by Took above suggests that the connection devices (Took, 20) are bolts.

Claims 15 and 16. Ishikawa as modified by Took in the rejection of claim 8 above, suggest all of the elements of claims 15 and 16. Note that the terms “kitchen appliance” (claim 15), “floor part”(claim 16), “floor plate”(claim 16), sheathing part” (claim 16) and “sheathing wall”(claim 16) as used in the disclosure and the claims are considered labels and the Applicant is reminded that where there is physical identity between the subject matter of the claim and the prior art, the label given to the claimed subject matter does not distinguish the invention over the prior art. In re Pearson, 494 F. 2d 1399, 1403, 181 USPQ 641, 644 (CCPA 1974); In re Lemin, 326 F. 2d 437, 140 USPQ 273 (CCPA 1964). Further note that the terms lack any special definition in the specification. The claims must be interpreted as broadly as their terms reasonably allow. This means that the words of the claim must be read as broadly as is reasonable unless applicant has provided a clear and deliberate definition in the specification. Exemplification is not an “explicit definition” and even “explicit definitions” can be subject to varying interpretations. *In re Zletz*, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989); *Teleflex Inc. v. Ficosa North America Corp.*, 63 USPQ2d 1374, 1381 (Fed. Cir. 2002), *Rexnord Corp. v. Laitram Corp.*, 60 USPQ2d 1851, 1854 (Fed. Cir. 2001), and MPEP 2111,01.

### ***Allowable Subject Matter***

Claims 7 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 3679

Claims 7 and 14. The combination of Ishikawa and Took in the rejection of claims 1 and 8 above would have necessarily resulted in the plurality of connection devices (Took, 20) being screwed in and disposed between a plurality of support walls (Ishikawa, walls of 11 surrounding 1) on an inside **of the second wall** (Ishikawa, 11a) and the plurality of springs (Ishikawa, 1). The prior art does not suggest support walls on an inside **of the first wall** nor any motivation to modify as such (emphasis added).

### ***Response to Arguments***

Applicant's arguments with respect to the claims have been considered but are moot in view of the new grounds of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor MacArthur whose telephone number is (571) 272-7085. The examiner can normally be reached on 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-3600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

Art Unit: 3679

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197.



VLM

March 6, 2006



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